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**From:** Kenny, Daniel [Kenny.Dan@epa.gov]  
**Sent:** 3/29/2018 12:00:08 AM  
**To:** Goerke, Ariadne [Goerke.Ariadne@epa.gov]; Echeverria, Marietta [Echeverria.Marietta@epa.gov]; Knorr, Michele [knorr.michele@epa.gov]; Baptist, Erik [Baptist.Erik@epa.gov]; Keigwin, Richard [Keigwin.Richard@epa.gov]; Goodis, Michael [Goodis.Michael@epa.gov]; Baris, Reuben [Baris.Reuben@epa.gov]; Beck, Nancy [Beck.Nancy@epa.gov]  
**CC:** Perlis, Robert [Perlis.Robert@epa.gov]; Grant, Brian [Grant.Brian@epa.gov]; Kaczmarek, Chris [Kaczmarek.Chris@epa.gov]; Rowland, Grant [Rowland.Grant@epa.gov]; Anderson, Brian [Anderson.Brian@epa.gov]; Nesci, Kimberly [Nesci.Kimberly@epa.gov]  
**Subject:** RE: Dicamba answering brief for review  
**Attachments:** ENV\_DEFENSE-#838549-v5-Dicamba\_Draft\_Brief\_3\_28\_18\_EFED.IO - DK.docx

Hi Ariadne. Very strong document! I have added my comments to EFED's comments. Please let me know if you have any questions or clarifications.

Thanks,  
Dan K.

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**From:** Goerke, Ariadne  
**Sent:** Wednesday, March 28, 2018 5:37 PM  
**To:** Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Baptist, Erik <Baptist.Erik@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Baris, Reuben <Baris.Reuben@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>  
**Cc:** Perlis, Robert <Perlis.Robert@epa.gov>; Grant, Brian <Grant.Brian@epa.gov>; Kaczmarek, Chris <Kaczmarek.Chris@epa.gov>; Rowland, Grant <Rowland.Grant@epa.gov>; Anderson, Brian <Anderson.Brian@epa.gov>; Nesci, Kimberly <Nesci.Kimberly@epa.gov>  
**Subject:** RE: Dicamba answering brief for review

Thanks so much for all of the helpful comments and edits. It really supports our efforts to prepare a thorough and persuasive legal brief to the Court. Michele and I did not have any questions on what was shared with us, but we will follow-up with the POCs listed below if we receive questions from DOJ after we share the consolidated version.

Thanks again,  
Ariadne

**Ariadne Goerke**  
**Pesticides and Toxics Substances Law Office**  
**Office of General Counsel**  
**U.S. Environmental Protection Agency**  
**(202) 564-5471 - WJC North 7318B**

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**From:** Echeverria, Marietta  
**Sent:** Wednesday, March 28, 2018 2:20 PM  
**To:** Goerke, Ariadne <Goerke.Ariadne@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Baptist, Erik <Baptist.Erik@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Baris, Reuben <Baris.Reuben@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>  
**Cc:** Perlis, Robert <Perlis.Robert@epa.gov>; Grant, Brian <Grant.Brian@epa.gov>; Kaczmarek, Chris

<Kaczmarek.Chris@epa.gov>; Rowland, Grant <Rowland.Grant@epa.gov>; Anderson, Brian <Anderson.Brian@epa.gov>; Nesci, Kimberly <Nesci.Kimberly@epa.gov>

**Subject:** RE: Dicamba answering brief for review

Attached is EFED's review of the brief (included with Rick and Nancy's comments). Please let us know if you have any questions. If you need to discuss, Brian Anderson will be our POC today and again starting Monday. If you need to discuss tomorrow or Thursday, please contact Kimberly Nesci. I am out of the office Thursday, Fri, Mon and back on Tuesday.

Regards,  
Marietta

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**From:** Goerke, Ariadne

**Sent:** Monday, March 26, 2018 5:46 PM

**To:** Knorr, Michele <knorr.michele@epa.gov>; Baptist, Erik <Baptist.Erik@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Baris, Reuben <Baris.Reuben@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>

**Cc:** Perlis, Robert <Perlis.Robert@epa.gov>; Grant, Brian <Grant.Brian@epa.gov>; Kaczmarek, Chris <Kaczmarek.Chris@epa.gov>; Rowland, Grant <Rowland.Grant@epa.gov>

**Subject:** Dicamba answering brief for review

Attached is the brief from DOJ for our review. As Michele stated in her email from Friday, we need to have any comments by COB Wednesday the 28<sup>th</sup> in order to turn around all of our comments to DOJ by the morning of the 29<sup>th</sup>. **Attorney Client / Ex. 5**

## **Attorney Client / Ex. 5**

Feel free to call me, Michele or Bob over the next few days if you would like to discuss. Thank you all for your continued support on this effort!

Ariadne

**Ariadne Goerke**  
**Pesticides and Toxics Substances Law Office**  
**Office of General Counsel**  
**U.S. Environmental Protection Agency**  
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**From:** Knorr, Michele

**Sent:** Friday, March 23, 2018 9:08 AM

**To:** Baptist, Erik <Baptist.Erik@epa.gov>; Keigwin, Richard <Keigwin.Richard@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>; Baris, Reuben <Baris.Reuben@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>

**Cc:** Perlis, Robert <Perlis.Robert@epa.gov>; Grant, Brian <Grant.Brian@epa.gov>; Goerke, Ariadne <Goerke.Ariadne@epa.gov>

**Subject:** Heads-Up on schedule for receiving the Dicamba answering brief for review

We have been working with DOJ over the past few weeks to get to a decent brief in this complex case. We are expecting a draft for your review on Monday (by 5 pm). Unfortunately, we will need to have any comments by COB Wednesday the 28<sup>th</sup> in order to turn around all of our comments to DOJ by the morning of the 29<sup>th</sup>. The brief will be filed on April 9<sup>th</sup>.

**Attorney Client / Ex. 5**

**Attorney Client / Ex. 5**

Thank you to everyone in OPP for helping us explain our positions. We shall see what happens when we get to argument (likely this summer).

I'm attaching the opening brief so you become familiar with the arguments before you see our response.

Thanks

Michele L. Knorr  
Attorney  
Pesticides and Toxics Law Office  
Office of General Counsel  
202-564-5631